

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:13-cv-00607-BO

CALLA WRIGHT, WILLIE J. BETHEL,)
AMY T. LEE, AMYGALE L. WOMBLE,)
BARBARA VANDENBERGH, JOHN G.)
VANDENBERGH, AJAMU G.)
DILLAHUNT, ELAINE E. DILLAHUNT,)
LUCINDA H. MACKETHAN, WILLIAM)
B. CLIFFORD, ANN LONG CAMPBELL,)
GREG FLYNN, BEVERLY S. CLARK,)
CONCERNED CITIZENS FOR)
AFRICAN-AMERICAN CHILDREN, and)
the WAKE CITIZENS ASSOCIATION)
Plaintiffs,)
vs.)
THE STATE OF NORTH CAROLINA and)
THE WAKE COUNTY BOARD OF)
ELECTIONS)
Defendants.)

MOTION TO DISMISS

NOW COMES defendant Wake County Board of Elections, and pursuant to Fed.R.Civ.P. 12(b)(6) hereby moves the Court to dismiss this action on the grounds that the complaint fails to state claims upon which relief may be granted;

WHEREFORE, the defendant Wake County Board of Elections prays the Court dismiss this action with prejudice and grant any other relief the Court may deem appropriate.

Respectfully submitted this the 4th day of November 2013.

/s/ Roger A. Askew
Deputy Wake County Attorney (NCSB 18081)
E-mail: *Roger.Askew@wakegov.com*

/s/ Scott W. Warren

Wake County Attorney (NCSB 14349)
E-mail: *swarren@wakegov.com*

/s/ Kenneth R. Murphy, III

Assistant Wake County Attorney (NCSB 26573)
E-mail: *Kenneth.Murphy@wakegov.com*

Office of the Wake County Attorney
Post Office Box 550
Raleigh, North Carolina 27602
Phone: (919) 856-5500
Fax: (919) 856-5504

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CERTIFICATE OF SERVICE

I hereby certify that on I electronically filed the foregoing MOTION TO
DISMISS and, I hereby further certify that pursuant to Local Civil Rule 5.1(b) counsel
for all other parties are being served as registered users of CM/ECF as provided for in
Local Civil Rule 5.1(e).

This the 4th day of November 2013.

/s/ Roger A. Askew

Roger A. Askew
Deputy Wake County Attorney
Post Office Box 550
Raleigh, North Carolina 27602
Phone: (919) 856-5500
Fax: (919) 856-5504